

Message Text

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ACTION OES-06

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SUBJECT: U.S.-JAPAN AGREEMENT ON COOPERATION IN THE FIELDS OF
HEALTH, BIOMEDICAL RESEARCH, AND REHABILITATION

REF: (A) STATE 37775; (B) TOKYO 1845; (C) STATE 27395;
(D) STATE 23898; (E) TOKYO 1165; (F) STATE 9438

1. FOREIGN MINISTRY (ASAO, DEP. DG, NORTS AMERICA BUREAU) CALLED IN SCICOUNS 2/21 TO PRESENT FIRST MORE OR LESS OFFICIAL REACTION TO DRAFT AGREEMENT. ALTHOUGH ASAO LED OFF BY STATING THAT MINISTRY AGREED WITH PROPOSAL TO EXPAND COOPERATION IN THIS FIELD, HE WENT ON TO SAY THAT CONSIDERABLE TIME WILL BE REQUIRED TO REACH CONCLUSION ON BEST WAY TO PROCEED WITHIN GOJ. WITH ONLY ONE MONTH REMAINING BEFORE FUKUDA VISIT TO WASHINGTON, HE COULD SEE NO WAY TO CONSUMMATE AGREEMENT IN SUCH A SHORT PERIOD.

2. ASAO NOTED THAT DRAFT AGREEMENT HAD NOT YET BEEN CIRCULATED TO OTHER MINISTRIES AND HIS VIEWS WERE THOSE OF FOREIGN MINISTRY EXCLUSIVELY. NATURE OF AGREEMENT NECESSITATED COORDINATION AMONG MINISTRIES OF HEALTH AND WELFARE, EDUCATION, AND LABOR AS MINIMUM, AND OTHER MINISTRIES (SUCH AS FINANCE) AND PREFECTURAL AGENCIES MIGHT BECOME INVOLVED AS WELL. SUCH COORDINATION IS NEVER EASY AT BEST, HE POINTED OUT, BUT HE WAS WILLING TO MAKE THE TRY. BEFORE DOING SO, HE ASKED THAT ANSWERS TO FOLLOWING
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GENERAL QUESTIONS BE PROVIDED:

A. ARTICLE 2--HOW IS INCORPORATION OF ONGOING AGREEMENTS INTO NEW AGREEMENT TO BE ACCOMPLISHED? DO OLD AGREEMENTS AND THEIR MECHANISMS FOR COOPERATION CEASE TO EXIST, TO BE SUPPLANTED BY A NEW MECHANISM OR MECHANISMS? WHICH OLD AGREEMENTS ARE AFFECTED? WHAT ADVANTAGES DOES PROPOSED AGREEMENT OFFER IN TERMS OF ACTUAL

CARRYING OUT OF PROGRAMS, COMPARED TO OLD AGREEMENTS?

B. ARTICLE 3--WHAT WILL BE ROLE OF FOREIGN MINISTRY AND STATE DEPT. IN ADMINISTRATION OF NEW AGREEMENT? IT IS NOT CLEAR THAT WITHIN GOJ ANY AGENCY OR MINISTRY CAN ASSUME CENTRAL COORDINATION ROLE OTHER THAN FOREIGN MINISTRY BECAUSE OF HISTORICAL INTERMINISTERIAL JEALOUSIES AND DIVISIVENESS.

C. ARTICLE 8--WHAT IS THE SIGNIFICANCE OF THIS ARTICLE? IS IT A POLITICAL DEVICE OR DOES IT FORM A COMMITMENT BY THE PARTIES?

D. AT SOME TIME IN THE NEGOTIATIONS, BUT NOT NECESSARILY NOW, IT WILL BE NECESSARY TO RAISE THE SUBJECT OF HOW THE COOPERATION IS TO BE BUDGETED AND FUNDED. DOES THE USG HAVE ANY IDEAS ON THIS SUBJECT?

3. SCICOUNS RESPONDED TO LISTING OF QUESTIONS BY REPEATNG PREVIOUS OFFER TO HAVE DR. KING OF DHEW COME TO JAPAN TO ENTER INTO DIRECT, AUTHORITATIVE NEGOTIATIONS WITH VARIOUS MINISTRIES. ASAO'S REACTION WAS THAT THERE WAS NO POINT IN DOING SO AT THIS TIME SINCE OVERALL GOJ POSITION HAD NOT BEEN DEVELOPED, AND THAT SINCE THERE WAS NO CHANCE OF COMPLETING NEGOTIATIONS PRIOR TO FUKUDA VISIT, THERE WAS NO PARTICULAR URGENCY ATTACHED TO NEGOTIATIONS. AS FALL-BACK, SCICOUNS SAID HE WOULD TRY TO OBTAIN ANSWERS TO QUESTIONS RAISED AS SOON AS POSSIBLE, BUT ASKED IN TURN THAT GOJ PREPARED COUNTER-PROPOSAL IN THE MEANTIME.

4. OBVIOUSLY FOREIGN MINISTRY DOES NOT SEE SAME URGENCY TO SIGNING AGREEMENT DURING PM'S VISIT AS DOES USG. WE ARE PLANNING LIMITED OFFICIAL USE

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TO TAKE MATTER TO HIGHER LEVEL IN MINISTRY, BUT BASIC PROBLEM STILL EXISTS: HOW DO WE GET THE VARIOUS MINISTRIES TO SET UP A COORDINATION MECHANISM THAT WOULD MAKE THEM ALL EQUALS? IT HAS OCCURRED TO US THAT AN INTERMEDIARY "NON-GOVERNMENTAL" ORGANIZATION COULD BE CALLED UPON TO PERFORM THIS FUNCTION, SUCH AS JAPAN SOCIETY FOR PROMOTION OF SCIENCE (JSPS) DOES FOR MINISTRY OF EDUCATION. IN FACT, JSPS PROBABLY COULD HANDLE JOB IF FUNDING COULD COME FROM BOTH MOE AND MHW. WE EVEN SUGGESTED SUCH A POSSIBILITY TO ASAO, BUT DREW A BLANK. PERHAPS THE SEED HAS BEEN PLANTED.

5. ANOTHER POSSIBILITY WOULD BE TO PROPOSE THAT TWO COUNTRIES SIGN A "MEMORANDUM OF UNDERSTANDING" OR SOME OTHER TYPE OF DOCUMENT SIGNIFYING THEIR INTENT TO ENTER INTO COOPERATIVE AGREEMENT AT A LATER DATE. SUCH A DOCUMENT COULD INCLUDE THE PREAMBULAR LANGUAGE OF THE PROPOSED AGREEMENT, TOGETHER WITH A FEW OPERATIVE CLAUSES WHICH, IN PARTICULAR, DO NOT SPECIFY THE COORDINATION MECHANISM. ALTERNATIVELY, A WATERED-DOWN AGREEMENT COULD BE OFFERED.

6. WE WILL REPORT AGAIN AS SOON AS HIGHER LEVEL CONTACT IS MADE.
IN INTERIM, WOULD APPRECIATE PRIORITY RESPONSES TO PARAS 2 AND 5.
SHOESMITH

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